



Signed and Filed: December 6, 2019

*Dennis Montali*

DENNIS MONTALI  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re: ) Bankruptcy Case  
PG&E CORPORATION, ) No. 19-30088-DM  
- and - ) Chapter 11  
PACIFIC GAS AND ELECTRIC COMPANY, ) Jointly Administered  
Debtors. )  
Date: December 11, 2019  
☐ Affects PG&E Corporation ) Time: 10:00 AM  
☐ Affects Pacific Gas and ) Place: Courtroom 17  
Electric Company ) 450 Golden Gate Ave.  
☒ Affects both Debtors ) 16th Floor  
San Francisco, CA  
\* All papers shall be filed in )  
the Lead Case, No. 19-30088 (DM). )

ORDER GRANTING MOTION TO EXTEND  
THE EXCLUSIVE SOLICITATION PERIOD

The court has considered the Motion of Debtors Pursuant to 11 U.S.C. § 1121(d) to Extend the Exclusive Solicitation Period (Dkt. No. 4825) and oppositions filed by The City of San Jose (Dkt. No. 4981), the Public Advocates Office (Dkt. No. 4982) joined by TURN, The Utility Reform Network (Dkt. No. 4983) and

1 the limited objection of the California State Agencies (Dkt. No.  
2 4976).

3 No purpose would be served by proceeding with the scheduled  
4 hearing on the motion on December 11, 2019. The objections are  
5 overruled and the motion is GRANTED. Counsel for Debtors should  
6 upload their proposed order, Exhibit A to motion.

7 The State Agencies' limited objection is a protective  
8 position only, preserving their position in response to Debtors'  
9 representation that they are current on post-petition  
10 obligations. The State Agencies do not offer a substantive  
11 objection to the motion.

12 The City of San Jose's objection accuses the Debtors of  
13 making an end run on the court's Exclusivity Termination Order  
14 (Dkt. No. 4167). The City cites cases for the proposition that  
15 once exclusivity is terminated, any party may file a plan. That  
16 misconstrues the court's intention in, and the plain words of,  
17 the Exclusivity Termination Order. That order terminated  
18 Debtors' exclusivity ". . . solely as to the TCC and the Senior  
19 Noteholders so that they can proceed with their proposed plan.  
20 It will deny the oral and written requests by other parties that  
21 exclusivity should be terminated globally". By its own terms,  
22 therefore, the court was only permitting the proponents of the  
23 TCC/Noteholder plan to proceed with their alternative plan.

24 Debtors affirmatively acknowledge the impact of that order  
25 by the present motion. Specifically, the motion and the  
26 proposed order granting it extend the Exclusive Solicitation  
27 Period to the Debtors and to the TCC and the Ad Hoc Noteholder  
28 Committee.

1        If there is any doubt about what the Debtors expected to  
2 obtain by the current motion, the absence of any opposition by  
3 the TCC and/or the Ad Hoc Noteholder Committee speaks volumes.

4        If the City of San Jose or any other party wishes to file  
5 their own plan, the Bankruptcy Code instructs them how to  
6 proceed in § 1121(c) and (d).

7        The Public Advocates Office's opposition, while contending  
8 that Debtors' plan is not confirmable, is incorrect in  
9 contending that the current motion prohibits the right of any  
10 other party from proposing a plan or seeking to terminate  
11 further the current status of Debtors' exclusivity. The  
12 confirmability of the Debtors' plan is not before the court at  
13 present. The Public Advocates Office and TURN are both free to  
14 follow the same advice the court offers to the City of San Jose  
15 in the foregoing paragraph if they wish to seek permission to  
16 propose a plan.

17                                **\*\*END OF ORDER\*\***